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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,850	11/17/2000	Warren Adams	AMAZON.054A	8971
20995	7590	03/25/2004	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			POND, ROBERT M	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/715,850

Applicant(s)

ADAMS ET AL.

Examiner

Robert M. Pond

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4, 5/02/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-8, 10-16, 19-28, and 31 are rejected under 35 USC 103(a) as being unpatentable over PlanetAll (a collection of 102(b) prior art describing PlanetAll's online services cited in PTO-892, Item: U-V), in view of Amazon (a collection of 102(b) prior art describing Amazon.com's acquisition of PlanetAll cited in PTO-892, Items: W-X).**

PlanetAll teaches a web site where a member (hereinafter referred to as first customer) creates a personal profile, and defines a circle of contacts (hereinafter referred to as second customer) based on the information provided (Item: U, page 1). PlanetAll further teaches:

- Retrieving from a database first customer profile information: uses system databases for storage and retrieval (Item: U, page 2).
- Receiving authorization from the first customer to share at least a portion of personal information with a second customer: security system allows only those people (second customers) the first customer specifies to see information from the first customer's profile, and letting the specified second customer(s) see only what the first customer wants them to see (Item: U, page 2; Item: V, page 8).
- Transmitting the personal information to the first customer for display: web page that shows personal information (e.g. user's calendar) (Item: V, see at least pages 10-11 and 12-13).
- Receiving authorization from second customer to share first customer personal information with a third customer: Friends of Friends feature supplements Crossing Paths by adding friends (third customers) of a member's contacts (second customers) to the member's (first customer) contact list (please note examiner's interpretation: second customer reveals to the first customer who is authorized to see second customer's personal information and likewise, first customer reveals to second customer its third members who have permission to see first customer's personal information (Item: U, see at least page 2)).
- Notification: daily email messages with active links to information (please note examiner's interpretation: sending an invitation to view a user's

personal information) (Item: U, page 2; Item: V, page 1); automatically updates address books (please note address book is displayed as a web page) (Item: U, page 2); electronic links with customers, calendar event alerts (Item: V, pages 8, and 11); providing a preview (Item: V, page 19).

- Identity: email messages identify second customers (Item: V, page 18).
- Permissions Scheme: allows first customer to designate which of their contacts (second customers) sees their information (please note examiner's interpretation: system is asking the first customer to specify who and what information second customers are permitted to see); distinguishes between personal and professional information (e.g. allowing a second customer to see first customer's employer, work address, and work phone number) (please note examiner's interpretation based on example: contacts can be a first customer's business customer) (Item: V, page 9).
- Listing information: (Item: V, pages 12-13).
- Retrieving historical purchase information for a first customer and sharing a portion with a second customer:

Integrating contact management with online sales system

PlanetAll teaches all the above as noted under the 103(a) rejection and teaches retrieving a first customer's personal profile from system databases, sharing personal information on a selective basis with second customers, but does not disclose integrating PlanetAll's customer-to-

customer contact service into Amazon.com's online sales system.

Amazon teaches integrating PlanetAll's service and databases into Amazon.com's service to allow customers to share information about themselves on a customer-by-customer basis, and using the integrated service to facilitate customers influencing buying decisions of customers of similar interests or ages (Item: W, page 2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to disclose integrating PlanetAll's contact management service into Amazon.com's online sales system as taught by Amazon, in order to facilitate customer-to-customer contact, and thereby increase communication among customers of the online sales system who have similar interests.

Sharing purchasing information

PlanetAll and Amazon teach all the above as noted under the 103(a) rejection and teach a) using past purchase history of customer base to influence purchase decisions, b) automating communication between customers (e.g. first customer and second customer) belonging to a circle of similar interests, and c) and using content resulting from meshing databases (Amazon.com with PlanetAll) to prompt additional purchases (Item: X, page 2), but do not disclose retrieving past purchase information for a first customer and sharing a portion with a second customer. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose retrieving past purchase information of a first customer and

sharing a portion with a second customer, since it is well within the skill to ascertain that customer-to-customer communication of past purchase history influences buying decisions.

- Indicia of items in purchase history includes at least a first item review authored by the first user.

PlanetAll and Amazon teach all the above as noted under the 103(a) rejection and teach a) integrating the PlanetAll service that allows Amazon.com customers to read book and music reviews written by customers who have similar interests (please note examiner's interpretation: writing reviews about books purchased from the online sale system), professions, ages, and "so on" which will help their buying decisions (Item: W, page 2), and b) retrieving past purchase history, but do not disclose indicia of items in purchase history includes at least an item review authored by the first customer. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose an authored review as indicia, since it is well within the skill to ascertain that book and music review written by a first customer influences buying decisions.

3. **Claim 9 is rejected under 35 USC 103(a) as being unpatentable over PlanetAll (a collection of 102(b) prior art describing PlanetAll's online services cited in PTO-892, Item: U-V) and Amazon (a collection of 102(b) prior art describing Amazon.com's acquisition of PlanetAll cited in PTO-**

892, Items: W-X), as applied to Claim 5, further in view of Carroll (PTO-892, Item: UU).

PlanetAll and Amazon teach all the following as noted above in the 103(a) rejection and teach email notification but do not disclose a one-use token in the notification. Carroll teaches PlanetAll email notifications bouncing back because email accounts were dead. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to halt email notification if an email account does not match any email address as taught by Carroll, in order to prevent repeated attempts on a dead email account, and thereby prevent efficient use computing resources.

- 4. Claims 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over PlanetAll (a collection of 102(b) prior art describing PlanetAll's online services cited in PTO-892, Item: U-V) and Amazon (a collection of 102(b) prior art describing Amazon.com's acquisition of PlanetAll cited in PTO-892, Items: W-X), as applied to Claim 1.**

PlanetAll and Amazon teach all the following as noted above in the 103(a) rejection and teach a first customer authorizing a second customer to review personal information and past purchase history to influence buying decisions, but do not disclose viewing a first customer's wish list or auctions. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose viewing a first customer's wish list or auction, since it is well within the skill to

ascertain that a first customer's wish list and auctions are a first customer's future purchasing intentions and past purchasing history respectively, and therefore influences a second customer having similar interests as the first customer.

5. **Claim 29 is rejected under 35 USC 103(a) as being unpatentable over PlanetAll (a collection of 102(b) prior art describing PlanetAll's online services cited in PTO-892, Item: U-V) and Amazon (a collection of 102(b) prior art describing Amazon.com's acquisition of PlanetAll cited in PTO-892, Items: W-X), as applied to Claim 20.**

PlanetAll and Amazon teach all the above as noted under the 103(a) rejection and teach a) the first customer editing personal information, b) first customer determining what the second customer sees, and c) second customer viewing a first customer's past purchases, but do not disclose first customer editing selections of past purchases to be shared with a second customer. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose the first customer editing past purchase information to be shared with a second customer, since it is well within the skill to ascertain that a first customer can edit personal information to be viewed by a second customer.

6. **Claim 30 is rejected under 35 USC 103(a) as being unpatentable over PlanetAll (a collection of 102(b) prior art describing PlanetAll's online services cited in PTO-892, Item: U-V) and Amazon (a collection of 102(b)**

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prior art describing Amazon.com's acquisition of PlanetAll cited in PTO-892, Items: W-X), as applied to Claim 20, further in view of Official Notice (regarding book reviews).

PlanetAll and Amazon teach all the above as noted under the 103(a) rejection and teach a) members writing reviews on books and music for other customers, but do not disclose a rating from a first customer. This examiner takes the position that the review itself serves as a subjective rating and quantifying a subjective rating is notoriously old and well-known. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to disclose a rating as taught by Official Notice, in order to help the second customer receiving the review to understand in quantifiable terms how the first customer felt about the book or music reviewed.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Vincent Millin** can be reached on 703-308-1065.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

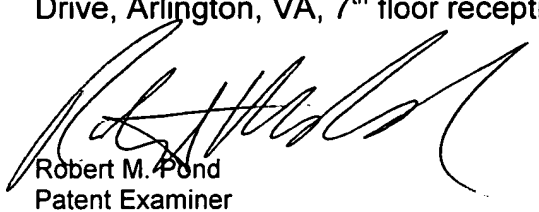
Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-872-9306 (Official communications; including After Final communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.



Robert M. Pond
Patent Examiner
March 19, 2004